

# UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Aug 09, 2021

SEAN F. MCAVOY, CLERK

U.S.A. vs. Wendel, Corina Marie Docket No. 0980 4:20CR06027-SAB-2

## Petition for Action on Conditions of Pretrial Release

COMES NOW David L. McCary, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Corina Marie Wendel, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke, sitting in the court at Yakima, Washington, on the 21st day of September 2020, under the following conditions:

**Special Condition #7:** Defendant shall submit to random urinalysis and/or breathalyzer testing as directed by the United States Probation/Pretrial Services Office.

**Special Condition #8:** Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release.

**Standard Condition #9:** Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

**Special Condition #5:** Defendant shall submit to a substance abuse evaluation and undergo any recommended substance abuse treatment as directed by the United States Probation/Pretrial Services Office and the treatment provider to exchange, in any form and at any time, any and all diagnostic information, treatment recommendations information, or compliance reports, or records related to Defendant's conditions of release and supervision, and evaluation, treatment, and performance in the program. It shall be the responsibility of defense counsel to provide such waivers.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

**Violation #1:** The defendant is considered to be in violation of her conditions of pretrial supervision by using a controlled substance, methamphetamine, on or prior to July 13, 2021.

On September 22, 2020, the defendant acknowledged her conditions of pretrial release indicating she understood she could not use controlled substances.

On July 13, 2021, the defendant reported to Merit Resource Services (Merit) in Kennewick, Washington, and provided a urine sample for drug testing. The sample returned presumptive positive for the presence of methamphetamine. The sample was forwarded to Cordant for confirmation. On July 22, 2021, the sample was confirmed positive for the presence of methamphetamine.

**Violation #2:** The defendant is considered to be in violation of her conditions of pretrial supervision by failing to provide a random drug testing on August 5, 2021.

On September 22, 2020, the defendant acknowledged her conditions of pretrial release indicating she understood she was required to report for random drug testing as directed.

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On August 5, 2021, the defendant's color was called for random drug testing. The defendant reported to Merit, but could not produce a sample which could be tested prior to the 7 p.m. cut off time.

**Violation #3:** The defendant is considered to be in violation of her conditions of pretrial supervision by attempting to falsify a random drug test on August 6, 2021.

On September 22, 2020, the defendant acknowledged her conditions of pretrial release indicating she understood she was to refrain from tampering with any substance abuse testing measures.

On August 6, 2021, the defendant reported to the pretrial office in Richland, Washington, to provide a urine sample for testing as she failed to provide a sample at Merit the previous day. When a lower than normal temperature reading was observed on the temperature strip located on the cup containing the sample, the defendant was questioned about the sample. The defendant admitted to using a device to falsify the sample as she knew it would be positive for methamphetamine. The defendant was allowed to remove the device she had used to conceal the false urine sample and it was later photographed.

**Violation #4:** The defendant is considered to be in violation of her conditions of pretrial supervision by using a controlled substance, methamphetamine, on or prior to August 6, 2021.

On September 22, 2020, the defendant acknowledged her conditions of pretrial release indicating she understood she could not use controlled substances.

On August 6, 2021, the defendant reported to the Richland pretrial office and attempted to provide a false sample for testing. After being confronted about the abnormal temperature of the sample, the defendant admitted to using methamphetamine and signed an admission form.

**Violation #5:** The defendant is considered to be in violation of her conditions of pretrial supervision by failing to comply with recommended chemical dependency treatment.

On September 22, 2020, the defendant acknowledged her conditions of pretrial release indicating she understood she was to comply with her assessed treatment regimen.

On July 26, 2021, a status report was received from Merit stating the defendant had failed her initial drug test on July 13, 2021, and she would need to meet individually with her counselor before she could start her intensive outpatient chemical dependency classes. The defendant failed to report for her required individual session scheduled for July 26, 2021. The defendant stated she had chosen to stop attending her scheduled sessions as she needed to be at home with her son. As the defendant discontinued her treatment on her own and had failed to report for her agreed upon individual session, she was terminated from treatment.

PRAYING THAT THE COURT WILL ORDER A WARRANT

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I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: August 9, 2021

by s/David L. McCary

David L. McCary  
U.S. Pretrial Services Officer

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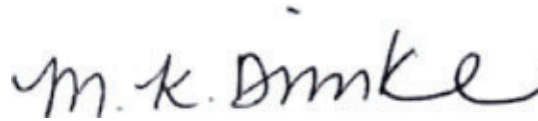

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

8/9/2021

Date